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FOR PUBLIC AFFAIRS STAFF

PROGRAM Entertainment Tonight

STATION WJLA-TV
Syndicated

DATE November 30, 1984 7:30 P.M. CITY Washington, D.C.

SUBJECT ABC/FCC Complaint

ROB WELLER: The U.S. Central Intelligence Agency is taking on one of the networks, recently filing a complaint with the Federal Communications Commission. The controversy surrounds an ABC News investigative report that included charges the CIA planned to kill convicted swindler Ronald Rewald while he was in prison.

Peter Quinn Hackes has the story in Washington.

PETER REWALD: It took a lot of convincing and a lot of evidence and a lot of the facts to be checked out before I recognized that was in fact what was going on.

PETER QUINN HACKES: But was that what was going on? ABC said yes, pinning much of its conviction on the word of this man, erstwhile prison guard Scott Barnes.

SCOTT BARNES: We're sitting down at the Royal Hawaiian. He says, "We got to take him out."

REPORTER: You mean?

BARNES: You know, kill him.

HACKES: The CIA said no way. ABC did a bit more checking, asked Barnes for additional evidence; receiving none, demanded he take a lie detector test. When he wouldn't, the network issued a clarification.

PETER JENNINGS: So ABC News has now concluded that Barnes's charges can not be substantiated, and we have no reason to doubt the CIA's denial.

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HACKES: But that wasn't good enough for the CIA, which denies other portions of the report. It turned down ABC offers to appear with its own side of the story. It was faced with a dilemma. A primarily secret organization shying away from public scrutiny, barred from suing for libel, the agency went the unprecedented route of an FCC complaint.

JAMES McKINNEY: The complaint from the Central Intelligence Agency is the first complaint we've received from a government agency concerning the Fairness Doctrine. In that respect, it is unique.

HACKES: ABC and the CIA refused to talk with us on camera. But not so First Amendment expert Floyd Abrams, who says the agency should put up or shut up in public. And he claims the CIA wants to do to ABC what the network reported the CIA was planning to do to Ronald Rewald.

FLOYD ABRAMS: And what the CIA is seeking to do is the equivalent of killing ABC. It won't succeed, but it's absolutely outrageous that it's trying.

HACKES: The FCC now looks at the case and decides whether there's the appearance of ABC violations. If not, that's the end of it. If so, the investigation and the decision which follows will make intriguing journalistic history.

WELLER: Late today the CIA told Entertainment Tonight it is not asking the FCC to proscribe ABC's freedom to broadcast the truth, nor does it seek to take broadcasting licenses away from ABC's affiliate stations. The CIA said, and we quote, "We're asking ABC to take a careful look at the responsibility and quality of its reporting and to take corrective action to insure that it's meeting its responsibility to the public for fair and accurate broadcasting." End quote.